

Ministry of Transportation

Office of the Deputy Minister

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February 8, 2022

Michael Keenan
Deputy Minister
Transport Canada
330 Sparks Street
Ottawa, Ontario
K1A 0N5

Dear Michael:

Thank you for the work you have been doing across the country to find solutions to the ongoing protest in Ottawa. As part of the discussions our teams have had, there has been ongoing dialogue about the authorities under *Ontario's Highway Traffic Act* as well as the registration and licensing system for commercial vehicles as a potential enforcement tool. While officials at MTO have provided your officials with information verbally, I wanted to provide clarity through this letter.

As you know, the Ottawa Police Service, or other local police as appropriate, is the lead jurisdiction for enforcing the law and ensuring public safety at these protests. Understanding the significant nature of this situation, I understand the OPP, RCMP and other police services have provided resources and support to the Ottawa Police Service.

Police in Ottawa have access to the full range of applicable offences under Ontario's *Highway Traffic Act* to enforce illegal or unsafe activity that may be occurring on public roadways in the City of Ottawa. The Ministry of Transportation stands ready to provide support as needed to law enforcement in areas where the ministry is well-placed to help and we have been working closely with the Ministry of the Solicitor General, including the OPP, to assist where possible. This includes providing traffic management support such as messaging signs and barriers to support traffic re-routings caused by the protests and rigorously enforcing any convictions resulting from the protests. It also includes providing commercial vehicle enforcement support in ways that support the Ministry's road safety mandate, at the request of police. Ontario's response is being coordinated through the Ministry of the Solicitor General and all requests should be directed to them.

However, I want to clarify some potential misunderstanding on the applicability of driver's licences and commercial vehicle operator permissions in a protest situation. The Ministry has robust driver and vehicle licensing and enforcement programs for both passenger and commercial vehicles. These programs are designed to support road safety by progressively applying penalties for unsafe driving behaviour, so that only qualified drivers and operators are allowed to operate on Ontario's roadways. For example, the Ministry of Transportation's Commercial Vehicle Operator's Registration (CVOR) program applies sanctions based on convictions for repetitive non-compliant safety behaviour. All sanctions require proper notice to be given to participants for an opportunity to respond, and in the case of a decision to cancel or suspend a CVOR certificate, appeal to a tribunal. The Ministry will continue to enforce all convictions relevant to the parameters of these programs, including those issued during the current protests. This regulatory oversight will fully respect the current parameters of the programs and full legal due process.

I know we all have empathy for the people of Ottawa that are enduring this protest while also recognizing and respecting the right to peaceful protest. I can assure you that the Ontario Ministry of Transportation will continue to work with our colleagues at the Ministry of Solicitor General to support efforts to bring it to a peaceful conclusion.

Sincerely,

A handwritten signature in black ink, appearing to read 'Laurie LeBlanc', with a stylized flourish at the end.

Laurie LeBlanc
Deputy Minister of Transportation

Cc: Mario Di Tommaso, Deputy Solicitor General, Community Safety, Ministry of Solicitor General